

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 10/008,386 Filed/Issue Date: 12/07/2001Entitled: "Drive Circuit for MEMS Device and Method of Operation Thereof"Agere Systems Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or2. ☒ an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is 50 %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: Inventor(s) To: Agere Systems Guardian Corp. & Lucent Technologies, Inc.The document was recorded in the United States Patent and Trademark Office at Reel 012363, Frame 0161, or for which a copy thereof is attached.2. From: Agere Systems Guardian Corp. & Lucent Technologies, Inc. To: Agere Systems Inc. & Lucent Technologies, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

January 15, 2004

Date

(972) 480-8800

Telephone number

David H. Hitt / Reg. No. 33,182

Typed or printed name

Signature

Attorney for Applicant

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF OWNERSHIP AND MERGER

OF

Agere Systems Guardian Corp.  
(a Delaware corporation)

INTO

Agere Systems Inc.  
(a Delaware corporation)

UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento  
Paul Bento, Vice President

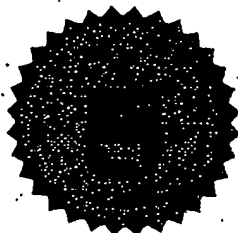
## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

3268412 8100M

020545223

AUTHENTICATION: 1959517

DATE: 08-29-02

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Agere Systems Inc.

Application No./Patent No.: \_\_\_\_\_ Filed/Issued Date: \_\_\_\_\_

Entitled: Agere Systems Inc., corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
 The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

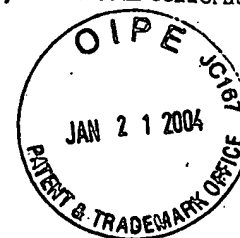
1. From Inventor(s) To: Lucent Technologies Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From Agere Systems Guardian Corp. To: Agere Systems Inc.  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

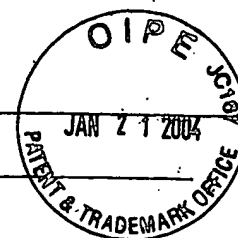
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

\_\_\_\_\_  
Date\_\_\_\_\_  
Typed or printed name\_\_\_\_\_  
Signature\_\_\_\_\_  
Corporate Counsel\_\_\_\_\_  
Title

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Agere Systems Inc.

Application No./Patent No.: \_\_\_\_\_ Filed/Issued Date: \_\_\_\_\_

Entitled: Agere Systems Inc. \_\_\_\_\_  
corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
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A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From                      Inventor(s) To: Lucent Technologies Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Optoelectronics Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From Agere Systems Optoelectronics Guardian Corp. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
4. From Agere Systems Guardian Corp. To: Agere Systems Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

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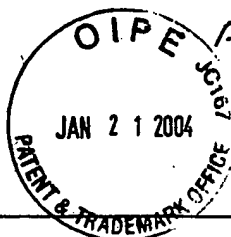
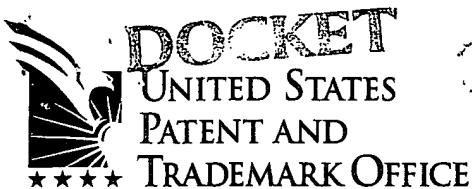
Date

Typed or printed name

Signature

Corporate Counsel

Title



FEB 11 2002

DHH

FEBRUARY 05, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

HITT GAINES & BOISBRUN, P.C.  
DAVID H. HITT  
P.O. BOX 832570  
RICHARDSON, TX 75083



\*101916899A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/07/2001

REEL/FRAME: 012363/0161

NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FURYK, MAREK M.

DOC DATE: 11/27/2001

ASSIGNOR:

NGUYEN, KHANH C.

DOC DATE: 11/27/2001

ASSIGNOR:

SABOL, ANDREW P.

DOC DATE: 11/07/2001

ASSIGNOR:

YIN, XIAOQING

DOC DATE: 11/27/2001

ASSIGNEE:

AGERE SYSTEMS GUARDIAN CORPORATION  
9333 S. JOHN YOUNG PARKWAY; ROOM  
301E1211  
A CORPORATION OF DELAWARE  
ORLANDO, FLORIDA 32819

012363/0161 PAGE 2

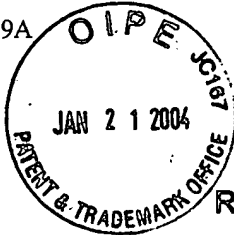
ASSIGNEE:

LUCENT TECHNOLOGIES, INC.  
600 MOUNTAIN AVENUE  
MURRAY HILL, NEW JERSEY 07974

SERIAL NUMBER: 10008386  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

SAUNDRA BALLENGER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



12-18-2001

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**



101916899

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

FURYK 1-6-2-2

U.S. PTO  
101008386  
12/07/01

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

☒ New  
☐ Resubmission (Non-Recordation)  
Document ID#   
☐ Correction of PTO Error  
Reel #  Frame #   
☐ Corrective Document  
Reel #  Frame #

12/7/01

**Conveyance Type**

☒ Assignment ☐ Security Agreement  
☐ License ☐ Change of Name  
☐ Merger ☐ Other   
**U.S. Government**  
(For Use ONLY by U.S. Government Agencies)  
☐ Departmental File ☐ Secret File

**Conveying Party(ies)**

☒ Mark if additional names of conveying parties attached  
Execution Date  
Month Day Year  
11 27 2001

Name (line 1) Marek M. Furyk

Name (line 2)

**Second Party**

Name (line 1) Khanh C. Nguyen

Name (line 2)

Execution Date  
Month Day Year  
11 27 2001

**Receiving Party**

☒ Mark if additional names of receiving parties attached

Name (line 1) Agere Systems Guardian Corporation

Name (line 2) a Corporation of Delaware

Address (line 1) 9333 S. John Young Parkway; Room 301E1211

Address (line 2)

Address (line 3) Orlando

Florida

32819

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

12/17/01 00000000 501735 10000336



**Correspondent Name and Address**

Area Code and Telephone Number (972) 480-8800

Name David H. Hitt

Address (line 1) Hitt Gaines & Boisbrun, P.C.

Address (line 2) P.O. Box 832570

Address (line 3) Richardson, Texas 75083

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 8

**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**Patent Number(s)**

|     |  |  |  |  |  |  |
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| N/A |  |  |  |  |  |  |
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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
11 27 2001

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT PCT PCT  
PCT PCT PCT

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

Method of Payment:  
Deposit Account

Enclosed ☐ Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 501735

Authorization to charge additional fees:

Yes ☒ No ☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

David H. Hitt

Name of Person Signing

Signature

12/07/2001

Date

RECORDATION FORM COVER SHEET  
CONTINUATION  
PATENTS ONLY

Page 3

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Andrew P. Sabol

Execution Date  
Month Day Year  
11 27 2001

Name (line 2)

Name (line 1) Xiaoqing Yin

Execution Date  
Month Day Year  
11 27 2001

Name (line 2)

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Receiving Party(ies)

☒ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1) Lucent Technologies, Inc.

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1) 600 Mountain Avenue

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

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**ASSIGNMENT AND AGREEMENT**

For value received, we, Marek M. Furyk, of Boyertown, in the County of Berks and State of Pennsylvania, and Khanh C. Nguyen, of Whitehall Township, in the County of Lehigh and State of Pennsylvania, and Andrew P. Sabol, of Oley Township, in the County of Berks and State of Pennsylvania, and Xiaoqing Yin, of Allentown, in the County of Lehigh and State of Pennsylvania, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974-0636, U.S.A. and to Agere Systems Guardian Corp, a corporation in the state of Delaware having an office at 9333 S. John Young Parkway, Orlando, Florida 32819, U.S.A. and its successors, assigns and legal representatives, each an undivided one-half ( $\frac{1}{2}$ ) interest in the entire right, title and interest, for the United States of America, in and to certain inventions related to **"DRIVE CIRCUIT FOR MEMS DEVICE AND METHOD OF OPERATION THEREOF"** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Agere Systems Guardian Corp. and Lucent Technologies Inc. each an undivided one-half ( $\frac{1}{2}$ ) interest in the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Agere Systems Guardian Corp. and Lucent Technologies Inc. to make application jointly for such protection jointly in their own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Agere Systems Guardian Corp. and Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Agere Systems Guardian Corp. and Lucent Technologies Inc. in the United States and in all countries foreign to the United States, or to such nominees as Agere Systems Guardian Corp./Lucent Technologies Inc. may designate.

We agree that, when requested, we shall, without charge to Agere Systems Guardian Corp. or to Lucent Technologies Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Marek M. Furyk

Marek M. Furyk

Date: 4/27/01

United States of America )

Commonwealth PA )  
State of

County of Lehigh )

On this 27 day of November, 2001, before me personally came Marek M. Furyk, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Debra L. Shipley  
Notary Public

NOTARIAL SEAL  
DEBRA L. SHIPLEY, Notary Public  
Breinigsville, Lehigh County  
My Commission Expires May 5, 2003

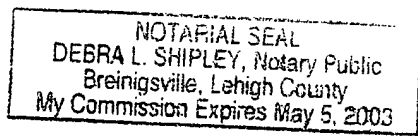
Khanh C. Nguyen  
Khanh C. Nguyen

Date: 11/27/2011

United States of America )  
Commonwealth )  
State of PA )  
County of Lehigh )

On this 27 day of November, 2011, before me personally came Khanh C. Nguyen, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Debra L. Shipley  
Notary Public



*Andrew P. Sabol*

Andrew P. Sabol

Date: 11/7/01

United States of America )

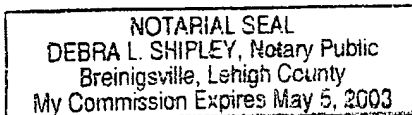
Commonwealth PA  
State of )

County of Lehigh )

On this 27 day of November, 2001, before me personally came Andrew P. Sabol, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

*Debra L. Shipley*

Notary Public



Xiaoqing Yin

Xiaoqing Yin

Date: 11/27/01

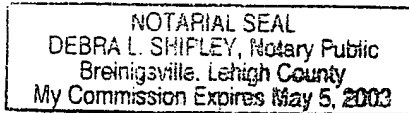
United States of America )

Commonwealth PA  
State of )

County of Lehigh )

On this 27 day of November, 2001, before me personally came Xiaoqing Yin, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Debra L. Shifley  
Notary Public



Agere Systems Inc.  
P.O. Box 614  
Berkeley Heights, New Jersey 07922-0614